

APPENDIX 2

PTX 320

From: John R. Owen </O=COATS AND BENNETT/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN R. OWEN>
Sent: Thursday, March 22, 2012 3:55 PM
To: Broadaway, Eric <Eric.Broadaway@apextoolgroup.com>
Cc: Munn, Michael <Michael.Munn@apextoolgroup.com>
Bcc: Cora L. Fedornock <cfedornock@coatsandbennett.com>
Subject: Preliminary Analysis of Gripping Wrench (Brown) Patents (4499-964) - Privileged and Confidential

Eric:

Thank you for the updated design information. Based on my review of the PDF file, the proposed design fits within my earlier analysis. Thus, this revised design should not be found to infringe the issued Brown patents.

Notes:

1. I am assuming that the curved slots are curving on a constant curvature. That appears to be correct, but I do not have the tools to confirm with the PDF file.
2. The addition of the ratchet lock mechanism (red below) should not create a problem with Brown's patents.
3. The use of a two-piece "right handle" (on the LEFT below) is different than Buchanan, but should not create a problem with Brown's patents.
4. The use of slots integrated directly into the "left handle," rather than on "cam plates" as in Buchanan, should not create a problem with Brown's patents.

Please let me know if you have any further questions or if I can be of further assistance.

Regards,
John R. Owen
Patent Attorney



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From: Broadaway, Eric [mailto:Eric.Broadaway@apextoolgroup.com]
Sent: Monday, March 19, 2012 11:28 AM
To: John R. Owen
Cc: Fu, Zhihong; XU, Yongsheng; Li, Peng; Munn, Michael
Subject: RE: Preliminary Analysis of Gripping Wrench (Brown) Patents (4499-964) - Privileged and Confidential

John, attached is our current design. This is approaching a near final state. You should use this to confirm if we have any infringement issues with this design.

Thanks, Eric

LoggerHead Tools, LLC v.
Apex Tool Group, LLC and
Sears Holding Corporation
Case No. 1:12-cv-9033

PTX320

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